inclusion of city of Hyderabad in the scheme for mass computerisation and networking of courts during the financial year 2001-2002 on the pattern of the scheme approved for four Metropolitan cities of Delhi, Mumbai, Chcnnai and Kolkata.

Due to constraint of resources, it has not been possible for the Central Government to extend the scheme of computerisation and networking in the subordinate judiciary to other cities. However, under the centrally sponsored scheme for development of infrastructural facilities for the judiciary, the States/UTs are free to utilise the required amount for computerisation within the overall allocation made to the States/UTs.

Policy for appointment of Judges

4038. SHRI SOLIPETA RAMACHANDRA REDDY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the policy of Government for the appointment of Judges in the Supreme Court and High Courts and the guidelines issued in this regard;

(b) whether it is a fact that posts of Judges are not filled up immediately and the vacancies remain vacant for months together;

(c) if so, whether Government are considering a time-bound programme for finalising the names of the Judges a week before vacancy arises; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (d) Appointment of Judges of the Supreme Court of India and High Courts is made under articles 124 and 217 of the Constitution of India respectively. The Memorandum of Procedure regarding appointment of Judges, which

has been finalised aftei the Judgement dated 6th October, 1993 of the Supreme Court of India read with the Advisory Opinion of 26th October, 1998, provides that whenever a vacancy is expected to arise in the office of a Judge of the Supreme Court, the Chief Justice of India will initiate proposal and forward his recommendation to the Union Minister of Law, Justice and Company Affairs to fill up the vacancy.

As regards High Courts, the Memorandum of Procedure provides that when a permanent vacancy is expected to arise in any year in the office of a Judge, the Chief Justice of the High Court will as early as possible but at least 6 months before the date of occurrence of the vacancy, communicate to the Chief Minister of the State his views on the persons to be selected for appointment. The Governor, as advised by the Chief Minister, is expected to forward his recommendation as early as possible but not later than 6 weeks from the date of receipt of the proposal from the Chief Justice of the High Court.

The Government has recently requested the Chief Justices of the High Courts, the Chief Ministers and the Governors of the States to keep the above procedure and the time schedule in mind while sending their recommendations.

The vacancies of Judges arise, from time to time, due to retirement, resignation and elevation etc. of the Judges. The filling up vacancies in the Supreme Court of India and the High Courts is a consultative process among the constitutional authorities. Every effort is being made to fill up the vacancies expeditiously.